

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICHARD MARINO,

Plaintiff,

against

GLOBAL CAPITAL HOLDINGS MANAGEMENT,  
LLC. and JOSEPH PALLADINO,

Defendants.

07 cv 7726(RJH)(DFE)

# Memorandum of Law in Opposition to Motion for Default Judgment

Plaintiff complains because the affirmation and affidavit submitted in opposition to the Motion for Default Judgment were not labeled “Memorandum of Law”. Those papers, together with the Memorandum of Law submitted by Plaintiff, contain legal authority and legal argument showing why default judgment under FRCP 55 should not be entered here. I apologize to the extent I have not complied with the local rules in my effort to spare the Court the necessity of having to read paper that adds so little on matters of hornbook law, and only cite in my defense the difficulty I have experienced trying to work things out amicably with Plaintiff’s attorney under extreme time pressure. Since Plaintiff at one point was willing to give me until November 26 to respond to this motion (see Plaintiff’s November 8, 2007 letter to the Court), I assume they will have no objection to allowing this paper to be filed today.

Dated: New York, NY  
November 20, 2007

Law Offices of Joseph R. Sahid  
Attorney for Defendants

By: \_\_\_\_\_s/\_\_\_\_\_  
Joseph R. Sahid  
(JS 4027)

845 Third Avenue, 20<sup>th</sup> Floor  
New York, NY 10022  
212.308.5930